



Michigan Counseling Association

Qualified Mental Health Professionals in Juvenile Justice Michigan Counseling Association Senate Judiciary Committee

Chairman Jones and Members of the Michigan Senate Judiciary Committee:

It is important to provide guidance to jurists in determining a juvenile's competence to stand trial and to restore a juvenile to competence (if possible) so that he or she may proceed with a trial. Much work has gone into the legislation before the committee today to create a system that provides for highly effective and standardized competency evaluations and that recognizes judicial discretion. The end result is a system that is more just for children and better for law enforcement and defense attorneys.

The Michigan Counseling Association has reviewed the bills before the committee, and though there are some concerns, the MCA supports SB 246 and 247. The legislation before the committee today provides sufficient guidance and reflects responsiveness to current issues in the juvenile justice system. The bills do this by:

- Establishing specific guidelines about types of assessment areas and sources of information needed for comprehensive forensic evaluation. Because the language reflects areas needed to be assessed (i.e., cognitive development, mental status) rather than identifying specific types of assessment instruments, it is fluid enough to change as new testing instruments are developed and research about specific instruments continues to grow.
- Establishing credentialing guidelines for evaluators that clearly articulate qualifications (qualified mental health professionals, specialized training). This is consistent with national standards that emphasize specific training and experience in this area .
- Through the creation of this legislation, access to fitness evaluations for youthful offenders is significantly expanded and options available to jurists in locating and identifying qualified evaluators are significantly increased. Both of these issues contribute to a more responsive juvenile justice system that puts the best interest of youth, families, and the community first.
- Recognizing that it is not academic degree that constitutes qualifications of forensic mental health professionals but rather a combination of specific training, experience, and academic degree that constitutes such. By doing so, this legislation recognizes that no specific advanced mental health degree (counseling, psychiatry, psychology) requires specific coursework in